

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:18-CR-452-FL

UNITED STATES OF AMERICA)	
)	
v.)	
)	UNITED STATES' NOTICE
LEONID ISAAKOVICH TEYF,)	OF EXPERT WITNESSES
TATYANA ANATOLYEVNA TEYF,)	
a/k/a TATIANA TEYF,)	
ALEXEY VLADIMIROVICH TIMOFEEV,)	
OLESYA YURYEVNA TIMOFEEVA)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby serves notice of its intention to offer, if necessary, expert testimony during its case-in-chief in the above-referenced matter. The government believes that at least some of the testimony in question may not actually merit treatment as “expert testimony” within the intendment of the rules. See Fed. R. Evid. 701 – 703, but notice is given in an abundance of caution to avoid undue surprise. The government will seek to offer expert testimony in five areas, to wit¹:

(1) Special Agent John Griffin, nexus expert with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, will testify that the firearm recovered during the investigation of the murder-for-hire plot was manufactured outside the State of North Carolina, and therefore prior to its seizure, had travelled in interstate commerce.

(2) Gary Freitas, Senior Immigration Services Officer with United States Citizenship and Immigration Services (USCIS), will be called to testify regarding Leonid Teyf’s application for visas to the United States, including his I-140

¹ Unless otherwise stated, curriculum vitae of these expected witnesses are provided directly to counsel for the defendants with a copy of this filing.

application. Mr. Freitas will also testify regarding all defendants' actions as related to defendants TIMOFEEV's and TIMOFEEVA's work activity while here on Timofeeva's student visa, and that such activity was contrary to the terms of the visa. This testimony is expected to be wholly factual in nature, but does stem from specialized knowledge. As noted previously, this notice is given in an abundance of caution.

(3) Justin Gryder, Task Force Officer, FBI Safe Streets Task Force, will testify regarding his efforts in receiving, reviewing, and compiling cell data location as pertains to the location of target phones on June 20, 2018. This testimony is expected to be entirely factual in nature, but does stem from specialized knowledge. As noted previously, this notice is given in an abundance of caution. His curriculum vitae will be provided forthwith.

(4) Staff Linguist, Federal Bureau of Investigation Language Services. A linguist of the Russian language from the staff of the FBI language services will testify regarding the translation of the Russian language utilized in various recordings. The resulting transcripts, which will constitute the specifics of the linguist's testimony, have been previously provided to defendant as translated by a number of staff linguists; one such linguist will prepare the final transcripts to be used as exhibits, and his/her identity and curriculum vitae will be provided forthwith. This testimony is anticipated to be completely factual in nature, but does stem from specialized knowledge. As noted previously, this notice is given in an abundance of caution.

(5) Drew Holiner, Russian Law Expert. Mr. Holiner is expected to testify in three main areas:

- i. generally, Mr. Holiner is expected to testify factually about Russian commerce, its history, protocols, and procedures, and the manner in which the Russian government interacts with commercial businesses. This testimony would include the manner and means by which businesses are established in Russia and testimony that the same procedure applies to both private commercial organizations as well as to the State, who can own businesses in the same manner as private entities/persons; that the system, stemming from an originally totalitarian government, is built on a system of patronage; that as a result, it is not uncommon to see criminal activity in the form of embezzlement schemes. Mr. Holiner will further testify that it is not uncommon to see monies laundered out of Russia through offshore companies which themselves have opaque ownership documents, and using fictitious agreements such as loans, which are never repaid and were never intended to be repaid, and/or by supply agreements, which set out an amount of supplies incongruous with the size of the company or stated need.
- ii. Mr. Holiner is expected to testify that the acts alleged to have been undertaken by Leonid Teyf in Russia violate Articles 285.1/285.2 of the Russian Criminal Code, Spending of Budget (or Non-Budget) Funds Contrary to Purpose, and Articles 285/286, Abuse of (or Exceeding) Authority; Articles 290/291 Payment (and/or Receipt) of a Bribe; and Article 33, accessorial liability for organizing, inciting or facilitating the same, especially through the giving of advice,

directions, or tools to accomplish the crime. There may be violations of Articles 159, 160, 201, and 204, as relates to fraud, embezzlement, abuse of authority and bribery in the commercial context, and the potential for accessorial liability for these acts through Article 33.

- iii. Finally, Mr. Holiner would be expected to testify in rebuttal as appropriate, to include responding by fact or opinion to any documents and/or arguments provided and/or used by any defendant in this action.

To the extent any opinion testimony may be offered, it would also be admissible independently as a lay opinion under Federal Rule of Evidence 701.

Respectfully submitted this 18th day of November, 2019.

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CERTIFICATE OF SERVICE

This is to certify that I have this the 18th day of November, 2019, served a copy of the foregoing Notice of Expert Testimony upon the counsel for the defendants in this action by electronically filing the foregoing with the Clerk of court, using the CM/ECF system.

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